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June 2, 2003

Ms. Marlene Dortch Office of the Secretary Federal Communications Commission 445 12<sup>th</sup> Street, SW Washington, D.C. 20554

> Re: Petition for Rule Making Trinity, Texas

Dear Ms. Dortch:

Enclosed is an original and four (4) copies of my Petition for Rule Making for Trinity, Texas.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205 (214) 520-7077 Tele (214) 443-9308 Fax

TrCo

11- 0+4 2M-1MB 03-882

# Before the Federal Communications Commission Washington, D.C. 20554

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In the Matter of	) )
Amendment of 73.202 (b)	) MB Docket No.
Table of Allotments	)
FM Broadcast Stations	)
(Trinity, Texas)	)

To: John Karousos, Assistant Chief Audio Division of the Media Bureau

### PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Charles Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 288A at Trinity, Texas.

#### DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 288A to Trinity, Texas as that community's first local FM service. Trinity is an incorporated city with a population of 2,721 people. Three hundred businesses in Trinity have been given a credit rating by Dun & Bradstreet as of the last quarter of 2000 according to the Texas Almanac 2002/2003. Trinity has its own mayor, Lyle Stubbs, city manager, Karen Hatter, its own post office, fire department, police department and a number of local churches. The proposed channel 288A will provide additional diversity and an outlet for local self-expression to Trinity residents and therefore is in the public interest.

In order for Channel 288A to be allotted to Trinity, Texas, station KYKS Channel 286C at Lufkin, Texas must be

According to the 2002/2003 Texas Almanae

reclassified to a CO. ( $\underline{\text{See}}$ , Attachment A, Request to Reclassify statement)

Attached hereto is a channel study confirming that Channel 288A can be allocated to Trinity, Texas, consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992). (See, Attachment B)

Reference coordinates are:

31 03 06 N 95 26 27 W

Should this petition be granted, and Channel 288A be allotted to Trinity, Texas Petitioner will apply for Channel 288A, and after it is authorized, will promptly construct the new facility.

The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

(214) 520-7077 (214) 443-9308

Tele Fax

cc: Gene A. Bechtel, Law Office of Gene Bechtel, Suite 600, 1050 17<sup>th</sup> Street, N.W., Washington, D.C. 20036, telephone (202) 496-1289, telecopier (301) 762-0156, attorney for Charles Crawford. It is requested that the Commission and any parties who may file pleadings in the captioned matter serve copier to Mr. Bechtel as well as Charles Crawford.

June 2, 2003

# Attachment A

Charles Crawford 4553 Bordeaux Ave. Dallas, Texas 75205

Petition for Rule Making FM Channel 288A Trinity, Texas June 2, 2003

#### Attachment A

Request to Reclassify Station KYKS(FM), Lufkin, Texas Pursuant to MM Docket 98-93

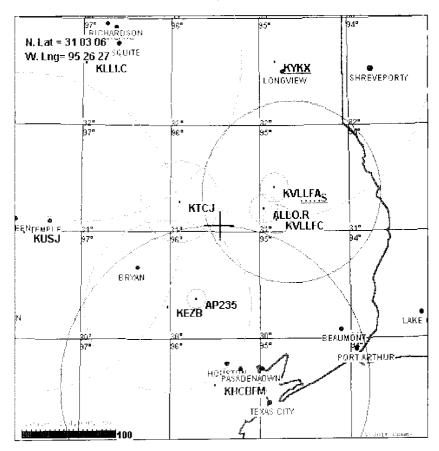
Radio Station KYKS(FM), Lufkin, Texas is licensed to Capstar TX Limited Partnership, 2625 S. Memorial Drive, Suite A, Tulsa, Oklahoma 74129, (Facility ID 25582), FCC File No. BLH 19900827KA. The facility operates with a power of 100 kilowatts with center of radiation 325 meters height above average terrain. The above captioned Docket 98-93 provides the mechanism to automatically downgrade a Class C facility to Class C0 when a demand is made for the spectrum, as is the case here. Charles Crawford respectfully requests that the license of Radio Station KYKS(FM) be modified to specify operation on FM Channel 286C0 instead of on FM Channel 286C in accordance with the above Docket which provides for such downgrades when a demand for the unused spectrum is made, as is the case here.

Charles Crawford, the proponent of Channel 288A at Trinity, Texas, in accordance with the above Docket, formally requests that the Commission reclassify Radio Station KYKS(FM) as a Class C0 facility. Charles Crawford certifies that no alternative channel is available for the service he proposes at Trinity, Texas as is proposed in the Petition for Rule Making. A copy of this Petition for Rule Making is being served on Capstar TX Limited Partnership, as is required in the above Docket.

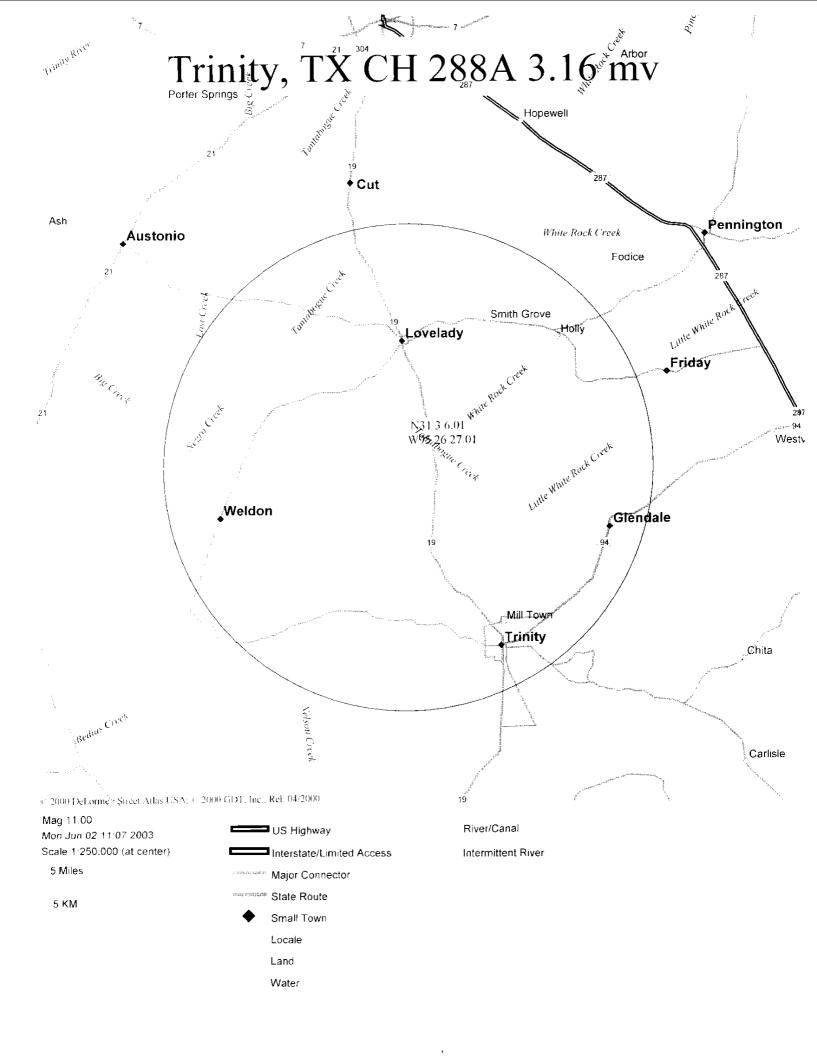
Charles Crawford

# Attachment B

FM PROSPHELOCATE STUDY CH 288 A 105.5 MHz Study



Call CH#	Туре	Location		D-KM	Azi 	FCC 	Margin
KHCBFM 289 KTCJ 290 KEZB 281 KYKX 289 ALLO.R 234	C3 LIC C3 LIC C* LIC N C2 RSV C2 LIC C2 CP N C2 APP-Z C CP	Welis Harker Heights Wells	TX T	83.53 164.53 50.28 100.05 180.81 49.71 209.25 60.69 69.94 222.84 222.84 78.98	64.8 182.0 300.8 214.2 18.7 69.1 268.6 83.4 55.2 320.2 320.2	95.0 165.0 42.0 89.0 165.0 15.0 15.0 15.0 165.0 10.0	-11.47 -0.47 8.28 11.05 15.81 34.71 43.25 45.69 54.94 57.84 57.84 68.98



#### CERTIFICATE OF SERVICE

I, Charles Crawford, hereby certify that on this 2<sup>nd</sup> day of June, 2003, I caused copies of the foregoing "Petition for Rule Making for Trinity, Texas" to be placed in the U.S. Postal Service, first class postage prepaid, addressed to the following persons:

Ms. Martene Dortch
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
12th Street Lobby-TW-A325
Washington, D.C. 20554

Gene Bechtel, Esq.
Law Offices of Gene Bechtel, P.C.
1050 17<sup>th</sup> Street, N.W., Suite 600
Washington, D.C. 20036-5517
(Counsel for Petitioner)

Capstar TX Limited Partnership Station KYKS 2625 S. Memorial Drive, Suite A Tulsa, OK 74129

Charles Crawford